



General Assembly

January Session, 2005

Amendment

LCO No. 7621

HB0622507621HDO

Offered by:
REP. RYAN, 139th Dist.

To: Subst. House Bill No. 6225

File No. 287

Cal. No. 250

"AN ACT CONCERNING RECIPIENTS OF STATE FINANCIAL ASSISTANCE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2005*) (a) As used in this
4 section:

5 (1) "Employer" means a person engaged in business who has
6 employees, including the state and any political subdivision of the
7 state;

8 (2) "Employee" means any person engaged in service to an employer
9 in a business of the employer;

10 (3) "Labor organization" means any organization that exists for the
11 purpose, in whole or in part, of collective bargaining or of dealing with
12 employers concerning grievances, terms or conditions of employment,
13 or of other mutual aid or protection in connection with employment;

14 (4) "Politics" means the activities or affairs engaged in by
15 government or a political party;

16 (5) "Political" means relative to, involving or characteristic of politics
17 or politicians; and

18 (6) "Political matters" includes political party affiliation or the
19 decision to join or not join any lawful, political, social or community
20 group or activity or any labor organization.

21 (b) No employer or an employer's agent, representative or designee
22 may require its employees to attend an employer-sponsored meeting
23 or participate in any communications with the employer or its agents
24 or representatives, the primary purpose of which is to communicate
25 the employer's opinion about religious or political matters, except that
26 an employer or its agent, representative or designee may communicate
27 to employees information about religious or political matters that the
28 employer is required by law to communicate, but only to the extent of
29 such legal requirement.

30 (c) No employer or an employer's agent, representative or designee
31 shall discharge, discipline or otherwise penalize or threaten to
32 discharge, discipline or otherwise penalize any employee because the
33 employee, or a person acting on behalf of the employee, makes a good
34 faith report, verbally or in writing, of a violation or a suspected
35 violation of this section. The provisions of this subsection shall not be
36 applicable when the employee knows that such report is false.

37 (d) Any aggrieved employee may enforce the provisions of this
38 section by means of a civil action brought no later than ninety days
39 after the date of the alleged violation in the superior court for the
40 judicial district where the violation is alleged to have occurred or
41 where the employer has its principal office. The court may award a
42 prevailing employee all appropriate relief, including rehiring or
43 reinstatement of the employee to the employee's former position, back
44 pay and reestablishment of any employee benefits to which the
45 employee would otherwise have been eligible if such violation had not

46 occurred. The court shall award a prevailing employee treble damages,
47 together with reasonable attorneys' fees and costs.

48 (e) Nothing in this section shall be construed to limit an employee's
49 right to bring a common law cause of action against an employer for
50 wrongful termination or to diminish or impair the rights of a person
51 under any collective bargaining agreement.

52 (f) Nothing in this section shall prohibit (1) a religious organization
53 from requiring its employees to attend an employer-sponsored
54 meeting or to participate in any communications with the employer or
55 its agents or representatives, the primary purpose of which is to
56 communicate the employer's religious beliefs, practices or tenets; (2) a
57 political organization from requiring its employees to attend an
58 employer-sponsored meeting or to participate in any communications
59 with the employer or its agents or representatives, the primary
60 purpose of which is to communicate the employer's political tenets or
61 purposes; (3) an institution of higher education, or any agent,
62 representative or designee of such institution, from meeting with or
63 participating in any communications with its employees about political
64 or religious matters that are part of the regular coursework or any
65 symposia or academic program at such institution; or (4) casual
66 conversations between employees, including employees and agents of
67 employers, provided participation in such conversations is not
68 required, and they occur in the normal course of the employee's
69 business."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	New section